

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

TONTION GAYLE,)	
)	
Plaintiff,)	
)	
v.)	CV422-239
)	
UNITED STATES, AND)	
CHATHAM COUNTY)	
DETENTION CENTER,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

Pro se plaintiff Tontion Gayle filed this 42 U.S.C. § 1983 case alleging that he was subjected to unconstitutional conditions of confinement at Chatham County Detention Center. *See* doc. 7 at 4. The Court screened his Complaint, recommended that the United States and Chatham County Detention Center be dismissed, and directed Gayle to submit an Amended Complaint. *See id.* at 2-7. Gayle has not objected to the Report and Recommendation and has not complied with the direction to submit his Amended Complaint. *See generally* docket. The service copy of the Court's Order and Report and Recommendation was returned by the United States Postal Service as undeliverable. *See* doc. 9 at 23.

His failure to comply with the Court's Order warrants dismissal of his case, as discussed below.

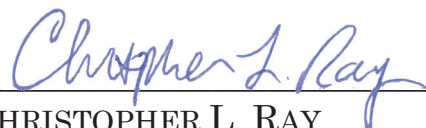
This Court has the authority to prune cases from its dockets where parties have failed to comply with its Orders. *See* S.D. Ga. L.R. 41.1(b); *see also Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989) (“The district court possesses the inherent power to police its docket.”); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983); *Floyd v. United States*, CV491-277 (S.D. Ga. June 10, 1992). Gayle's failure to comply with the Court's Order provides a sufficient reason to dismiss his Complaint. The Post Office's return of the Order and Report and Recommendation indicates that Gayle has failed to keep the Court apprised of his current address, in violation of its Local Rules, which provides an additional reason for dismissal. *See* S.D. Ga. L. Civ. R. 11.1

Accordingly, Gayle's Complaint should be **DISMISSED**. *See, e.g.*, Fed. R. Civ. P. 41(b). This Report and Recommendation (R&R) is submitted to the district judge assigned to this action, pursuant to 28 U.S.C. § 636(b)(1)(B) and this Court's Local Rule 72.3. Within 14 days of

service, any party may file written objections to this R&R with the Court and serve a copy on all parties. The document should be captioned “Objections to Magistrate Judge’s Report and Recommendations.” Any request for additional time to file objections should be filed with the Clerk for consideration by the assigned district judge.

After the objections period has ended, the Clerk shall submit this R&R together with any objections to the assigned district judge. The district judge will review the magistrate judge’s findings and recommendations pursuant to 28 U.S.C. § 636(b)(1)(C). The parties are advised that failure to timely file objections will result in the waiver of rights on appeal. 11th Cir. R. 3-1; *see Symonette v. V.A. Leasing Corp.*, 648 F. App’x 787, 790 (11th Cir. 2016); *Mitchell v. United States*, 612 F. App’x 542, 545 (11th Cir. 2015).

SO REPORTED AND RECOMMENDED, this 25th day of January, 2023.



CHRISTOPHER L. RAY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA